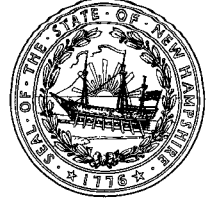




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

January 26, 2006

LETTER OF DEFICIENCY #WSEB 06-003
Certified Mail #7099 3400 0003 6156 6528

Raymond Stankunas
Emerald Lake Village District
103 Gould Pond Road
Hillsborough NH 03244

Subject: Hillsborough- Public Water System: Emerald Lake Village District (EPA #1141020)

Dear Mr. Stankunas:

The records of the NH Department of Environmental Services (DES) show that the Emerald Lake Village District is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 326.

The enforceable maximum contaminant level (MCL) for Arsenic samples collected prior to January 23, 2006, was 0.050 mg/L. For systems on quarterly monitoring, compliance with the MCL is determined by the running annual average (RAA). The RAA is defined as the average of sample results collected over the last 12 month period. DES has determined the most recent RAA for source 011, the Mary Rowe Well, to be 0.18 mg/L. As such, Emerald Lake Water District has exceeded the Arsenic MCL, and a violation has occurred.

Please note that as of January 23, 2006, the enforceable MCL for Arsenic became 0.010 mg/L.

It is DES' understanding that the District has purchased Arsenic treatment equipment, but needs to make other improvements in order for treatment to be operational. DES believes the MCL violation(s) can be corrected and future violations prevented by taking the following actions:

1. **By February 28, 2006**, submit to DES for review and approval a "plan of action" explaining how the Arsenic treatment will be implemented to treat the water from the Mary Rowe Well to meet the new MCL of 0.010 mg/L, including a proposed timeframe by which Arsenic treatment will be operational; and
2. **DES must review and approve**, in writing, any engineering/technical documents prior to the commencement of any work on the system. Note that engineering plans for systems serving more than 50 service connections or 20,000 gpd must be stamped by a professional engineer; and
3. **By the DES-approved correction date**, take the corrective action as approved by DES. Notify DES in writing upon completion of the action(s) taken; and

4. Continue to sample in accordance with your Master Sampling Schedule (copy enclosed), which includes quarterly sampling for Arsenic; and
5. Continue to provide public notice to the consumers every quarter that the Arsenic RAA exceeds the new, enforceable MCL of 0.010 mg/L.

In the event compliance is not achieved within this period, DES may initiate formal action against the District, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

**All information as requested above should be addressed as follows
or faxed to (603) 271-5171:**

Allyson Gourley
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

In addition to your operator, assistance may be available to you through a variety of sources. DES staff member Bernie Lucey, P.E., may be able to answer questions concerning treatment for Arsenic. He may be reached at (603) 271-2952 or via email at blucey@des.state.nh.us. Also, financial, managerial and technical assistance is available through either of two government funded technical assistance providers. These are Granite State Rural Water Association ((603) 753-4055) and RCAP Solutions, Inc. (1-800-488-1969). Health related questions may be directed to Dave Gordon of the DES Bureau of Environmental and Occupational Health whose number is (603) 271-4608. If you have any questions regarding this letter, please contact Allyson Gourley at (603) 271-0655 or by email at agourley@des.state.nh.us.

Sincerely,


COPY

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

h:\wsebn\enfmon\enforce\lods\chem mon\2006\1141020 emerald lake lod 06-003 arsenic.doc

encl: Master Sampling Schedule

cc w/ encl(s): Joseph Damour, Primary Operator

cc: Gretchen R. Hamel, DES Legal Unit Administrator
EPA, Region 1
James Coffey, Hillsborough Health Officer

ec: Bernie Lucey, P.E., DES
Dave Gordon, DES BEOH
Jack Shields, GSRWA
Robert Morancy, RCAP Solutions, Inc